

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE GEISINGER SYSTEM
SERVICES AND EVANGELICAL
COMMUNITY HOSPITAL
HEALTHCARE WORKERS
ANTITRUST LITIGATION

No.: 4:21-cv-196 (MWB)

Chief Judge Brann

**DEFENDANTS' JOINT MOTION TO EXCLUDE THE TESTIMONY
OF PLAINTIFFS' EXPERT, EDWARD LEAMER, PH.D**

Defendants Geisinger System Services and Evangelical Community Hospital, by and through their respective undersigned counsel, hereby move the Court pursuant to Federal Rule of Evidence 702 and *Daubert v. Merrell Dow Pharms., Inc.*, 509 U.S. 579 (1993), for an Order excluding the proposed expert testimony and reports of Plaintiffs' expert, Edward Leamer, Ph.D., from the class certification proceedings, any pretrial motions, and trial of the above-captioned matter.

The grounds supporting this Motion are set forth in the accompanying memorandum of law in accordance with Local Rule 7.5. Pursuant to Local Rule 7.9, Defendants respectfully request oral argument on this Joint Motion.

Dated: June 14, 2024

Respectfully submitted,

By: /s/Stefan M. Meisner
Stefan M. Meisner (*pro hac vice*)
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, DC 20004
Phone: (202) 624-2500
smeisner@crowell.com

By: /s/Norman Armstrong, Jr.
Norman Armstrong, Jr. (*pro hac vice*)
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Phone: (202) 389-3180
norman.armstrong@kirkland.com

Chahira Solh (*pro hac vice*)
CROWELL & MORING LLP
3 Park Plaza, Ste. 20th Floor
Irvine, CA 92614
Phone: (949) 798-1367
csolh@crowell.com

Stephanie Resnick
Theodore H. Jobes
John Fuller
Shannon M. Doughty
FOX ROTHSCHILD LLP
2000 Market Street, 20th Floor
Philadelphia, PA 19103-3222
Phone: (215) 299-2000
sresnick@foxrothschild.com
tjobes@foxrothschild.com
jfuller@foxrothschild.com
sdoughty@foxrothschild.com

Rosa M. Morales (*pro hac vice*)
CROWELL & MORING LLP
Two Manhattan West
375 Ninth Avenue
New York, NY 10001
Phone: (212) 895-4261
rmorales@crowell.com

*Attorneys for Defendant Evangelical
Community Hospital*

Daniel T. Brier
Donna A. Walsh
Richard L. Armezzani
MYERS BRIER & KELLY LLP
425 Spruce Street, Suite 200
Scranton, PA 18503
Phone: (570) 342-6100
dbrier@mbklaw.com
dwalsh@mbklaw.com
rarmezzani@mbklaw.com

*Attorneys for Defendant Geisinger
System Services*

CERTIFICATE OF NONCONCURRENCE

I, Stefan M. Meisner, hereby certify that concurrence was sought from counsel for Plaintiffs in Defendants' Joint Motion to Exclude the Testimony of Plaintiffs' Expert, Edward Leamer, Ph.D. Plaintiffs' counsel does not concur in this Motion.

/s/ Stefan M. Meisner

Stefan M. Meisner

Dated: June 14, 2024

CERTIFICATE OF SERVICE

I, Stefan M. Meisner, hereby certify that a true and correct copy of the foregoing Defendants' Joint Motion to Exclude the Testimony of Plaintiffs' Expert, Edward Leamer, Ph.D., the Proposed Order, Memorandum of Law, and Exhibits were served upon all counsel of record via electronic mail and electronic filing this 14th day of June 2024.

/s/ Stefan M. Meisner
Stefan M. Meisner